

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

CHRISTOPHER B. EILAND, DVM, MS,)

Plaintiff,)

v.)

**Civil Action No.
2005-CV-459-VPM**

DR. BYRON L. BLAGBURN, individually)
and in his official capacity, DR.)

CHARLES HENDRIX, individually and)
in his official capacity, DR. JOSEPH)

JANICKI, individually and in his official)
capacity, DR. STEPHEN McFARLAND,)

individually and in his official capacity,)
DR. ED RICHARDSON, in his official)

capacity as President of Auburn)
University, and DR. LAUREN WOLFE,)

individually and in his official capacity,)

Defendants.

JOINT MOTION TO AMEND SCHEDULING ORDER

Come now all parties to this action and request this Honorable Court to amend the scheduling order to extend the discovery deadline in this action until October 16, 2006. As grounds for this motion, the parties believe that a typographical error was made and that the Court intended to set the discovery deadline for October 16, 2006, rather than October 16, 2005.

Respectfully submitted, this the 9th day of August 2004.

/s/ G. Lane Knight

One of the Attorneys for Defendants

David R. Boyd (BOY005)
BALCH & BINGHAM LLP
Post Office Box 306
Birmingham, AL 35201-0306
Telephone: (205) 251-8100
Facsimile: (205) 226-8798

G. Lane Knight (KNI028)
BALCH & BINGHAM LLP
Post Office Box 78
Montgomery, Alabama 36101
Telephone: (334) 834-6500
Facsimile: (334) 269-3115

Lee F. Armstrong
General Counsel
Auburn University
101 Samford Hall
Auburn, Alabama 36849

/s/ Alvin T. Prestwood

One of the Attorneys for Plaintiff

Alvin T. Prestwood
Tara S. Knee
William L. Rodgers
PRESTWOOD & ASSOCIATES, P.C.
350 Adams Avenue – P.O. Box 1910
Montgomery, AL 36102-4660

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of August, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing and/or that a copy of the foregoing has been served upon the following by United States Mail, properly addressed and postage prepaid to the following:

Alvin T. Prestwood
Tara S. Knee
William L. Rodgers
PRESTWOOD & ASSOCIATES, P.C.
350 Adams Avenue – P.O. Box 1910
Montgomery, AL 36102-4660

/s/ G. Lane Knight

Of Counsel